

Message Text

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ACTION EB-11

INFO OCT-01 NEA-14 ISO-00 LAB-06 COME-00 OMB-01 TRSE-00

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FM AMEMBASSY NEW DELHI

TO AMEMBASSY ISLAMABAD

INFO SECSTATE WASHDC 2137

AMCONSUL BOMBAY

LIMITED OFFICIAL USE NEW DELHI 8105

E.O. 11652: N/A

TAGS: BEXP, IN

SUBJECT: INDIAN FILM DISTRIBUTION PROCEDURES

REF: A) ISLAMABAD 5275; B) NEW DELHI 7003

1. THIS CABLE PROVIDES ALL OF THE INFORMATION WE KNOW CONCERNING THE MODALITIES OF FILM DISTRIBUTION UNDER THE NEW AGREEMENT WHICH HAS BEEN NEGOTIATED (BUT NOT FINALLY APPROVED BY THE CABINET) BETWEEN MPEAA AND THE GOI. SOME OF THE FEATURES OF THE NEW AGREEMENT MAY PROVE USEFUL IN IMPLEMENTATION OF THE MPEAA AGREEMENT WITH PAKISTAN WHICH WAS NEGOTIATED UNDER VERY SIMILAR (AND EQUALLY DIFFICULT) CIRCUMSTANCES.

2. THE CLAUSES IN THE DRAFT AGREEMENT CONCERNING DISTRIBUTION PROCEDURES HAVE BEEN DELIVERATELY LEFT RATHER VAGUE. THEY PROVIDE THAT THE 100 FEATURES FILMS WHICH MPEAA EXPORTS TO ITS INDIAN MEMBER COMPANIES YEARLY SHALL BE CHanneled THROUGH A GOVERNMENT FILM CORPORATION WHICH WILL CHARGE 2-1/2 PERCENT OF THE CIF VALUE OF THE FIRST PRINT OF EACH TITLE FOR ITS SERVICES. RESPONSIBILITY FOR CUSTOMS, PAYMENT OF DUTIES, TRANSPORT AND CENSORSHIP CLEARANCE WILL REMAIN THE RESPONSIBILITY OF THE MEMBER COMPANIES. ANY MEMBER COMPANY WHICH SO DESIRES, MAY CONTRACT WITH A NON-MEMBER

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INDIAN FIRM FOR DISTRIBUTION OF ONE OR MORE OF THE FILMS IN

LIEU OF DISTRIBUTION THROUGH ITS ESTABLISHED FACILITIES.

3. THE LANGUAGE IN THE DRAFT AGREEMENT IMPLIES VERY LITTLE CHANGE IN THE DISTRIBUTION PROCEDURES WORKED OUT UNDER PREVIOUS AGREEMENTS AND IF APPROVED, REPRESENTS A SIGNIFICANT VICTORY FOR MPEAA. AT AN EARLY STAGE IN THE NEGOTIATIONS, MINISTRY OF INFORMATION AND BROADCASTING OFFICIALS HAD PRESSED (AS WAS THE CASE IN PAKISTAN) FOR A GOVERNMENT MONOPOLY OVER DISTRIBUTION AS WELL AS IMPORT OF THE FILMS. IT NOW APPEARS THAT THE TWO PARTIES HAVE COME TO AN UNWRITTEN AGREEMENT UNDER WHICH THE FILM COMPANIES WOULD BECOME "ASSOCIATES" OF THE GOI FILM CORPORATION. WE UNDERSTAND THAT THE FILM CORPORATION WILL ALSO MAKE SOME IMPORTS FOR ITS OWN ACCOUNT.

4. WE WILL CONTINUE TO INCLUDE ISLAMABAD AS INFORMATION ADDRESSEES ON ALL CABLES AND MEMORANDA ON THIS SUBJECT.
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